

08-06-01

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	RIB-001CP
First Named Inventor	Steitz et al.
Title	Ribosome Structure and Protein Synthesis Inhibitors

**APPLICATION ELEMENTS**

ADDRESS TO: **Box Patent Application**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

**ACCOMPANYING APPLICATION PARTS**

1. ☒ Fee Transmittal Form
2. ☒ Small Entity Status  
☒ Applicant claims small entity status  
☐ Status established in prior application and is still proper and desired
3. ☒ Specification and Drawings [Total Pages 184]  
 - Written Description - (140 pages)  
 - Claims - (13 pages)  
 - Abstract - (1 page)  
 - Sheets of Drawings - (30 sheets)  
☒ Formal  
☐ Informal
4. ☐ Oath or Declaration [Total Pages ]  
 a. ☐ Newly executed (original)  
 b. ☐ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 17 completed)*  
*[Note Box 5 below]*
5. ☐ Incorporation by Reference (usable if Box 4b is checked)  
 The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☒ Application Data Sheet
7. ☒ Nucleotide and/or Amino Acid Sequence Submission  
☒ Computer Readable Copy  
☒ Paper Copy (identical to computer copy)  
☐ CD (identical to computer copy)  
☒ Statement verifying identity of above copies

8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)  
☐ Power of Attorney
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of IDS Citations
11. ☐ Preliminary Amendment  
☐ Drawings [Total Sheets ]  
☐ Letter to Official Draftsperson Including Drawings [Total Pages ]
12. ☒ Return Receipt Postcard
13. ☐ Certified Copy of Priority Document(s)
14. ☐ Deletion of Inventor(s)  
 Signed statement attached deleting inventor(s) named in the prior application.
15. ☒ 3 CDs in duplicate for large table or computer program.
16. ☒ Other:  
☒ Petition to Accept Color Photographs as Drawings (37 C.F.R. 1.84 (b))  
☒ One set of black and white drawings  
☒ Two extra sets of color drawings (for a total of 3 sets)

**17. ☒ If a CONTINUING APPLICATION:**

This is a

☐ continuation ☐ divisional ☒ continuation-in-part of prior application Serial No. 09/653,708 filed on August 9, 2000.

**Priority to the above application(s) is claimed under 35 U.S.C. 120.**

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_.

**18. ☒ Priority - 35 U.S.C. 119**

☒ Priority of application Serial No. 60/223,977 filed on August 9, 2000; RIB-002PR, filed July 20, 2001; and RIB-001PR2, filed August 1, 2001 is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior U.S. application Serial No. \_\_\_\_\_ on \_\_\_\_\_.  
☐ The certified copy will follow.

**CORRESPONDENCE ADDRESS**

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

**SIGNATURE BLOCK**

Date: August 3, 2001 Respectfully submitted,  
 Reg. No. 47,526 Jennifer A. Camacho  
 Tel. No.: (617) 248-7476 Attorney for Applicant(s)  
 Fax No.: (617) 248-7100 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110

# **FEE TRANSMITTAL** FY 2001

Complete if Known

Application Serial Number	Not yet assigned
Filing Date	Herewith
First Named Inventor	Steitz et al.
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket No.	RIB-001CP

## METHOD OF PAYMENT

1. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
3. ☒ Applicant claims small entity status.

## FEE CALCULATION

## 1. FILING FEE

## Large Entity

Fee (\$)	Fee Description	Fee Paid
710	Utility filing fee	710.00
320	Design filing fee	
150	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	158	- 20 = 138	x \$ 18.00 =	2,484.00

	Number Filed	Number Extra	Rate	Amount
Independent Claims	15	- 3 = 12	x \$ 80.00 =	960.00

☒ Multiple Dependent Claim(s), if any \$270.00 = 270.00

TOTAL: 4,424.00  
 SMALL ENTITY DISCOUNT: 2,212.00  
 SUBTOTAL (1) (\$) 2,212.00

## 2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 80.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$270.00 =	

TOTAL: (\$)  
 SMALL ENTITY DISCOUNT: (\$)  
 SUBTOTAL (2) (\$)

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	
390	195	Extension for reply within second month	
890	445	Extension for reply within third month	
1,390	695	Extension for reply within fourth month	
1,890	945	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
130	130	Petitions to the Commissioner	130.00
50	50	Petitions related to provisional applications	
180	180	Submission of Information Disclosure Statement	
710	355	Filing a submission after final rejection (37 CFR 1.129(a))	
710	355	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$) 130.00

SUBTOTAL (1) 2,212.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 130.00

TOTAL (\$) 2,342.00

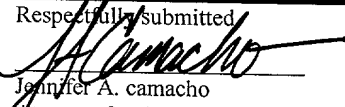
## CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Date: August 3, 2001  
 Reg. No.: 43,526  
 Tel. No.: 617-248-7476  
 Fax No.: (617) 248-7100

Respectfully submitted,  
  
 Jennifer A. Camacho  
 Attorney for the Applicants  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower-125 High Street  
 Boston, MA 02110

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Steitz et al.

SERIAL NO.: Not yet assigned

GROUP NO.: Not yet assigned

FILING DATE: Herewith

EXAMINER: Not yet assigned

TITLE: Ribosome Structure and Protein Synthesis Inhibitors

Box PATENT APPLICATION

Commissioner for Patents

Washington, D.C. 20231

PETITION TO ACCEPT COLOR PHOTOGRAPH(S) AS DRAWING(S)  
(37 C.F.R. 1.84(b))

1. Petition is hereby made to accept color photograph(s) in this case. Applicants respectfully submit that the color photographs are the only practical medium for illustrating the detailed three-dimensional nature of the invention through computer generated models that use colors as a labeling mechanism and shading to provide depth.
2. Three (3) sets of photographs corresponding to Figures 1-29
  - ☒ are submitted herewith
  - ☐ have already been submitted in this application on [date].
3. The petition fee (37 C.F.R. 1.17(i)) is paid as follows:
  - ☐ Please charge the petition fee of \$130.00 to Deposit Account No. 20-0531. A duplicate of this petition is attached.
  - ☒ A check in the sum of \$130.00 is attached.
4. A set of black and white Figures that accurately depict, to the extent possible, the subject matter shown in the color photographs is submitted herewith.
5. Applicants submit that no amendment under Rule 84(b)(2)(iv) is necessary inasmuch as the required language is present in the application as filed.

3/09/2001 EFLORES 00000058 09922251

1 FC:122

130.00 DP

F090301-15000000

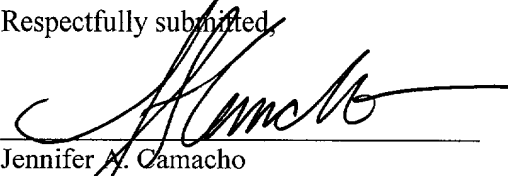
Please charge Deposit Account No. 20-0531 for any fee deficiency, or credit said Account for any overpayment.

Date: *August 3, 2001*  
Reg. No. 43526

Tel. No.: (617) 248-7476  
Fax No.: (617) 248-7100

2149972

Respectfully submitted,



Jennifer A. Camacho  
Attorney for Applicant(s)  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

FILED "TESTED"

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Steitz et al.

SERIAL NO.: Not yet assigned      GROUP NO.: Not yet assigned

FILING DATE: Herewith      EXAMINER: Not yet assigned

TITLE: Ribosome Structure and Protein Synthesis Inhibitors

**Box: Patent Application**

Commissioner for Patents  
Washington, D.C. 20231

**COMPACT DISK TRANSMITTAL LETTER**

Sir:

In accordance with 37 C.F.R. §1.52(e), submitted herewith are two copies each of Disk No. 1, Disk No. 2, and Disk No. 3 formatted as follows:

1. Format: IBM-PC
2. Operating System: MS-Windows
3. Disk No. 1 contains the following files:

<u>Title</u>	<u>Size</u>	<u>Date Created</u>	<u>Special Information</u>
1. Dir		7/25/01	
2. Dir		7/25/01	
3. 1ffk.doc	7,046KB	7/25/01	Microsoft Word
4. 1ffk.ent	5,484KB	7/25/01	
5. 1ffz.doc	1,219KB	7/25/01	Microsoft Word
6. 1ffz.ent	937KB	7/25/01	
7. 1fg0.doc	1,225KB	7/25/01	Microsoft Word
8. 1fg0.ent	942KB	7/25/01	

4. Disk No. 2 contains the following files:

<u>Title</u>	<u>Size</u>	<u>Date Created</u>	<u>Special Information</u>
1. Dir		7/26/01	
2. Dir		7/26/01	

3.	1jj2.rtf	12,742KB	7/25/01
4.	1jj2.txt	8,372KB	7/26/01

5. Disk No. 3 contains the following files:

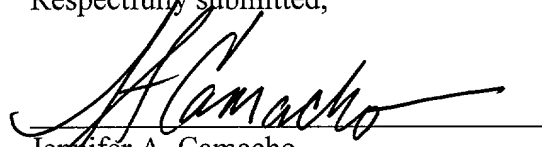
	<u>Title</u>	<u>Size</u>	<u>Date Created</u>	<u>Special Information</u>
1.	Dir		7/18/01	
2.	Dir		7/18/01	
3.	anisomycin.pdb	7,593KB	7/18/01	
4.	blasticidin.pdb	7,594KB	7/18/01	
5.	carbomycin.pdb	7,592KB	7/18/01	
6.	sparsomycin.pdb	7,541KB	7/18/01	
7.	spiramycin.pdb	7,592KB	7/18/01	
8.	tylosin.pdb	7,592KB	7/18/01	
9.	virginiamycin.pdb	7,591KB	7/18/01	

I hereby state that the content of Copy 1 of Disk No. 1 is identical to Copy 2 of Disk No. 1, the content of Copy 1 of Disk No. 2 is identical to Copy 2 of Disk No. 2, and the content of Copy 1 of Disk No. 3 is identical to Copy 2 of Disk No. 3.

Respectfully submitted,

Date: *August 3, 2001*  
Reg. No. 43,526

Tel. No.: (617) 248-7476  
Fax No.: (617) 248-7100

  
Jennifer A. Camacho  
Attorney for Applicant(s)  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

PATENT  
Attorney Docket No. RIB-001CP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Steitz et al.  
SERIAL NO.: Not yet assigned GROUP NO.: Not yet assigned  
FILING DATE: Herewith EXAMINER: Not yet assigned  
TITLE: Ribosome Structure and Protein Synthesis Inhibitors

**Box Patent Application**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**SUBMISSION OF PAPER COPY AND/OR COMPUTER READABLE COPY  
OF SEQUENCE LISTING FOR INVENTION  
CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE**

Sir:

1. ☐ This replies to the Patent Office Letter dated

Note: If these papers are filed before the office letter issues adequate identification of the original papers should be made, e.g., in addition to the name of the inventor and title of invention, the filing date based on the "Express Mail" procedure, the serial number from the return post card or the attorney's docket number added.

☐ A copy of the Patent Office Letter is enclosed.

2. Submitted herewith is/are  
(check each item as applicable)

- A. ☒ a paper copy of the Sequence Listing for this application with each sequence assigned a separate identifier; and  
B. ☐ a CD of the Sequence Listing for this application with each sequence assigned a separate identifier; and  
C. ☒ a copy, in computer readable form, of the Sequence Listing for this application.

(complete applicable items A, B and/or C)

A. ☒ the content of the paper and computer readable copy submitted herewith are the same; and

B. ☐ the content of the CD and computer readable copy submitted herewith are the same; and

C. ☐ the content of the computer readable copy submitted herewith is the same as the Sequence Listing appearing on pages \_\_\_ to \_\_\_ of the original specification as filed; and


D. ☒ this submission includes no new matter.

Respectfully submitted,

Date: August  
Reg. No. 43,526

Tel. No.: (617) 248-7476  
Fax No.: (617) 248-7100

Respectfully submitted,



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Jennifer A. Camacho  
Attorney for Applicant(s)  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110